

# House File 679 - Introduced

HOUSE FILE \_\_\_\_\_  
BY GRANZOW

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

## A BILL FOR

1 An Act allowing counties to share the services of certain  
2 elective county officers.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
4 TLSB 2612HH 82  
5 eg/gg/88

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1 1 Section 1. Section 69.14A, subsection 2, unnumbered  
1 2 paragraph 1, Code 2007, is amended to read as follows:  
1 3 A vacancy in any of the offices listed in section 39.17  
1 4 shall be filled by one of the ~~two~~ following procedures:  
1 5 Sec. 2. Section 69.14A, subsection 2, paragraph b,  
1 6 unnumbered paragraph 1, Code 2007, is amended to read as  
1 7 follows:  
1 8 By special election held to fill the office for the  
1 9 remaining balance of the unexpired term. The board of  
1 10 supervisors may, on its own motion, or shall, upon receipt of  
1 11 a petition as provided in paragraph "a" or "c", call for a  
1 12 special election to fill the vacancy in lieu of appointment.  
1 13 The supervisors shall order the special election at the  
1 14 earliest practicable date, but giving at least thirty-two  
1 15 days' notice of the election. A special election called under  
1 16 this section shall be held on a Tuesday and shall not be held  
1 17 on the same day as a school election within the county.  
1 18 Sec. 3. Section 69.14A, subsection 2, Code 2007, is  
1 19 amended by adding the following new paragraph:  
1 20 NEW PARAGRAPH. c. By appointment by the board of  
1 21 supervisors of a county officer in another county. The  
1 22 appointment shall be made by agreement of the boards of  
1 23 supervisors of the counties, pursuant to chapter 28E, and the  
1 24 appointment shall be of the officer holding the equivalent  
1 25 office to that which is vacant. The appointment shall be for  
1 26 the period until the next pending election as defined in  
1 27 section 69.12, and shall be made within forty days after the  
1 28 vacancy occurs. If the board of supervisors of the county  
1 29 where the vacancy has occurred chooses to proceed under this  
1 30 paragraph, the board shall publish notice in the manner  
1 31 prescribed by section 331.305 stating that the board intends  
1 32 to fill the vacancy by appointment of a county officer in  
1 33 another county but that the electors of the county have the  
1 34 right to file a petition requiring that the vacancy be filled  
1 35 by special election. The board may publish notice in advance  
2 1 if an elected official submits a resignation to take effect at  
2 2 a future date. The board may make an appointment to fill the  
2 3 vacancy after the notice is published or after the vacancy  
2 4 occurs, whichever is later. A person appointed under this  
2 5 paragraph is not required to be a resident of the county  
2 6 filling the vacancy by appointment.  
2 7 However, if within fourteen days after publication of the  
2 8 notice or within fourteen days after the appointment is made,  
2 9 a petition is filed with the county auditor requesting a  
2 10 special election to fill the vacancy, the appointment is  
2 11 temporary and a special election shall be called as provided  
2 12 in paragraph "b". The petition shall meet the requirements of  
2 13 section 331.306.

## EXPLANATION

2 15 This bill provides that if there is a vacancy in the office  
2 16 of county auditor, treasurer, recorder, sheriff, or county  
2 17 attorney, the board of supervisors may fill the vacancy by  
2 18 appointing the officer of the equivalent office in another  
2 19 county. To make the appointment, the counties must enter into  
2 20 a Code chapter 28E agreement to share services.

2 21       The bill also provides that a special election may be held  
2 22 to fill the vacancy upon the board of supervisor's own motion  
2 23 or upon receipt of a petition by the electors of the county  
2 24 calling for a special election in lieu of appointment.  
2 25 LSB 2612HH 82  
2 26 eg:sc/gg/14